INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

| | Application Number | | 10686063 | |
|--------------------------|----------------------|------|--------------|--|
| Filing Date | | | 2003-10-15 | |
| First Named Inventor GEN | | GENE | E P. DIPOTO | |
| | Art Unit | | 3734 | |
| | Examiner Name Vy Q. | | Bui | |
| | Attorney Docket Numb | er | 1291.1135102 | |

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| Examiner Initial* | r Cite No Patent Number | | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear | |
| | 1 | 0530728 | | 1894-12-11 | Sherbrook | | |
| | 2 | 2313164 | | 1943-03-09 | Nelson | | |
| 3 | | 4573448 | | 1986-03-04 | Kambin | | |
| | 4 | 5395317 | | 1995-03-07 | Kambin | | |
| | 5 | 5601690 | | 1997-02-11 | Gauld et al. | | |
| | 6 5688223 11 | | 1997-11-18 | Rosendahi | | | |
| | 7 | 5795291 | | 1998-08-18 | Koros et al. | | |
| | 8 | 5944658 | | 1999-08-31 | Koros et al. | | |

| 9 | 6024697 | 2000-02-15 | Pisarik | |
|----|---------|------------|-----------------|--|
| 10 | 6139493 | 2000-10-31 | Koros et al. | |
| 11 | 6175758 | 2001-01-16 | Kambin | |
| 12 | 6361488 | 2002-03-26 | Davison et al. | |
| 13 | 6530880 | 2003-03-11 | Pagliuca | |
| 14 | 6530926 | 2003-03-11 | Davison | |
| 15 | 6648888 | 2003-11-18 | Shluzas | |
| 16 | 6652553 | 2003-11-25 | Davison et al. | |
| 17 | 6821243 | 2004-11-23 | Pagliuca et al. | |
| 18 | 6837889 | 2005-01-04 | Shluzas | |
| 19 | 7001397 | 2006-02-21 | Davison et al. | |

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| 20 7004947 | | | 2006-02-28 | Shluzas et al. | | |
|----------------------|--------|--------------------------|---------------------------|---------------------|---|--|
| 21 7056321 | | 2006-06-06 | | Pagliuca et al. | | |
| | 22 | 7066937 | | 2006-06-27 | Shluzas | |
| | 23 | 7144393 | | 2006-12-05 | DiPoto et al. | |
| | 24 | 7223278 | | 2007-05-29 | Davison et al. | |
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| Examiner Initial* | | | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 20030195551 | | 2003-10-16 | Davison et al. | |
| | | | | | | |
| | 2 | 20050149106 | | 2005-07-07 | DiPoto et al. | |
| - | 3 | 20050149106 | | 2005-07-07 | DiPoto et al. | |
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